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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,508	07/23/2003	Shinichi Furuhashi	H9876.0074/P074	7406
24998	7590	11/01/2006	EXAMINER	
DICKSTEIN SHAPIRO LLP			EPSHTEYN, ALEXANDER	
1825 EYE STREET NW			ART UNIT	
Washington, DC 20006-5403			PAPER NUMBER	
			3714	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/624,508	Applicant(s) FURUHASHI ET AL.	
	Examiner Alex Epshteyn	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 8-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giobbi (US Patent 6,749,510).

In regards to claims 1 and 5, Giobbi teaches of communication game equipment that comprises a centralized gaming system comprising a plurality of servers which include a master game server, a game execution server, and a database server. The communication game equipment is provided in a game center and is connected to a data server, where the data server is the database server. The centralized gaming system is used to serve a plurality of gaming equipment units. The master game server stores the games that are available for play, the game execution server processes the instructions for the play of the game, and the database server acts to collect game activity data (2: 38-51). It is obvious to one skilled in the art that each server inherently includes a processor that is used to perform the objectives of the individual server. The game execution server and the database server comprise a communication sub-system since this sub-system is used to communicate with the gaming machines. The sub-system has program memory for storing a program controlling execution of the plurality of different communication function tasks (3: 49-67). The main system and the

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communication sub-system are formed on circuit boards independent of each other since they can be externally linked server systems, which inherently include different circuit boards for each sub-system (3: 29-35). The sub-systems are also in communication with a shared memory that is accessible by the main CPU and the sub-CPU of the communications subsystem (3: 30-35). The communication sub-system further has components to manage task functions of the gaming process (3: 55-67).

In regards to claim 3, it is notoriously obvious to one skilled in the art that a processor, such as the one used to operate the servers as taught by Giobbi, are managed by a real time operating system.

In regards to claim 4, the communication game equipment of Giobbi has a main system and a sub-system that are formed on circuit boards independent of each other (3: 30-35).

In regards to claim 8, while Giobbi does not explicitly teach of having a running count of the number of connected gaming units to the central game server, Giobbi does teach of allowing multi-user access to all the different games on the server. It is well known in the art that a server is typically aware of how many users are connected to the server and also which games are sent out where and how many. This is a basic operation of a server, since the server must be aware of how many users are accessing the server so that it can send out the appropriate information to the correct amount of gaming machines.

In regards to claims 9 and 10, Giobbi inherently teaches of a communication game equipment wherein the shared memory is used as a first command buffer

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buffering a command sent from a main CPU, a second command for buffering a command sent from the sub-CPU, and a third command buffer used for transmitting and receiving, where the first command buffer is taken priority and the use of the second buffer is restricted. This is obvious to the use of any network system, where buffering commands is the equivalent of establishing priority of computer instructions in a command queue. The commands from the main server containing the game are given first priority so that the game can function properly, the commands from the sub-CPU containing the game execution server and the database server contain less priority because they are dependent on commands from the main CPU (see 5: 53-67 and 6: 1-14).

In regards to claim 11, the network communication game system of Giobbi includes a plurality of different communication function tasks including communication multiplayer tasks for communication of multiplayer games played between the plurality of game equipment units (4: 52-61).

Response to Arguments

Applicant's arguments filed have been fully considered but they are not persuasive. The applicant contends that the main server of Giobbi and the accessory servers do not qualify as an appropriate main system and a communication sub-system. The Applicant does not really explain what the difference between the claimed invention and the server system of Giobbi. It is described above and clearly stated by Giobbi that the main server system including a main server and two sub-servers load a game

program and the sub-server systems run the communication details of the game program.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex Epshteyn whose telephone number is 571-272-5561. The examiner can normally be reached on M-F 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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TC3702